

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

TUAN A. VU,

Defendant.

CASE NO. CR15-120-JCC

DETENTION ORDER

Offense charged: Conspiracy to Distribute Controlled Substances

Date of Detention Hearing: April 29, 2015.

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which defendant can meet will reasonably assure the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with a drug offense, the maximum penalty of which is in excess of ten years. There is therefore a rebuttable presumption against defendant as to both dangerousness and flight risk, under 18 U.S.C. § 3142(e).

1 2. Defendant's criminal record includes a number of VUCSA and controlled
2 substances cases. In this case, he faces a ten year mandatory minimum. He has frequent travel
3 to Vietnam, staying a month or longer each time. The government alleges he is one of the
4 leaders of the drug conspiracy charged in the indictment, and claims that defendant attempted to
5 flee at the time of arrest. Defendant disputes this. A considerable quantity of drugs and cash
6 was found in his residence at the time of search. The government alleges this defendant attempt
7 to solicit a CI to assault another individual involved in the conspiracy. He has a history of recent
8 drug use and lack a stable residence.

9 3. Taken as a whole, the record does not effectively rebut the presumption that no
10 condition or combination of conditions will reasonably assure the appearance of the defendant as
11 required and the safety of the community.

12 It is therefore ORDERED:

- 13 1. Defendant shall be detained pending trial and committed to the custody of the Attorney
14 General for confinement in a correction facility separate, to the extent practicable, from
15 persons awaiting or serving sentences or being held in custody pending appeal;
- 16 2. Defendant shall be afforded reasonable opportunity for private consultation with counsel;
- 17 3. On order of the United States or on request of an attorney for the Government, the person
18 in charge of the corrections facility in which defendant is confined shall deliver the
19 defendant to a United States Marshal for the purpose of an appearance in connection with
20 a court proceeding; and

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- 1 4. The Clerk shall direct copies of this Order to counsel for the United States, to counsel for
2 the defendant, to the United States Marshal, and to the United State Pretrial Services
3 Officer.

4 DATED this 29th day of April, 2015.

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6 Mary Alice Theiler
7 United States Magistrate Judge
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